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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 1033-SS00378	
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on <u>October 21, 2005</u></p> <p>Signature <u>Molly K. Harrison</u></p> <p>Typed or printed name <u>Molly K. Harrison</u></p>		Application Number 10/602,552	Filed June 24, 2003
		First Named Inventor Brian Gonsalves	
		Art Unit 2686	Examiner DANIEL, JR., Willie J.
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record. Registration number _____</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 <u>42,146</u></p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>			



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Brian GONSALVES, et. al.
Title: WIRELESS WIDE AREA NETWORK CHARGER AND CRADLE
App. No.: 10/602,552 Filed: 06/24/2003
Examiner: DANIEL, JR., Willie J. Group Art Unit: 2686
Customer No.: 34456 Confirmation No.: 1238
Atty. Dkt. No.: 1033-SS00392

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**REMARKS IN SUPPORT OF
THE PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Dear Sir:

In response to the Final Office Action mailed July 27, 2005 (hereinafter, "the Final Action") and further pursuant to the Notice of Appeal and Pre-Appeal Brief Request for Review submitted herewith, the Applicants respectfully request review and reconsideration of the Final Action in view of the following issues.

Claims 1-6, 9-19, 21-23, 25-29, 32-35, 37-39 and 42-45 are allowable

Claims 1-6, 9-19, 21-23, 25-29, 32-35, 37-39 and 42-45 were rejected under 35 U.S.C. § 103(a) over Uchiyama (US 6,766,175 B2) in view of Alexis (US 2004/0072544 A1). Claim 1, from which claims 2-6, 9-19, 21-23, and 25-26 depend, recites the following element: "a second data interface of a second type to communicate with a second type of external device." The Final Action asserts that the "cordless cradle (16, 122)" disclosed in Uchiyama reads on this element. Applicants submit that the Final Action is incorrect. Uchiyama discloses a system for integrating a wireless telephone and a cordless telephone. The system includes a number of bus paths to transmit power, data, and control signals. As disclosed in Uchiyama, "[t]he cordless telephone 6 and wireless telephone 4 rest in and connect to their respective interface cradles 122 and 102. The functional structure of the docking station can readily be modeled as bus

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architecture, having four basic bus paths. These include a power bus 108, audio signal bus 110, data signal bus 112, and internal control bus 114. *The function of the power bus 108 is to receive electric power from the power supply 106 and distribute it within the docking station and to the wireless telephone 4 and cordless telephones 6 for power supply and battery charging.* The audio bus 110 carries the transmit and receive audio signals between the wireless telephone 4, the speakerphone 124, and the transceiver 116. The data bus 112 carries wireless telephone 4 data signals between the wireless telephone and the controller 128 in the docking station.”

(Uchiyama, col. 10, lines 1-14 (emphasis added)). Further, as illustrated in FIG. 7 of Uchiyama, the cordless cradle 122 is connected *only to the power bus*, and not to the data bus. Therefore, the cordless cradle 122 does not send or receive data signals, and is not a data interface.

Accordingly, Uchiyama fails to disclose or suggest a “second data interface of a second type to communicate with a second type of external device” as recited in claim 1. This claim element is likewise not disclosed or suggested by Alexis.

In addition, claim 1 recites “a universal serial bus (USB) interface to communicate with a first type of external device.” The Final Action asserts that this feature is disclosed by Alexis. (Final Action at p. 3). Applicants respectfully traverse this assertion. Alexis refers to a USB interface only as part of adapter circuitry. (See Alexis p. 12 [0092]). This adapter circuitry is not used to communicate with a first type of external device. Instead, the adapter circuitry disclosed in Alexis is “removably connected to the input/output pins of a cellular telephone.” Alexis p. 11 [0087]. Thus, the adapter circuitry in Alexis does not allow a base station or control module to communicate with a first type of external device. Therefore, even if there were a suggestion in Alexis or Uchiyama to combine the two references (which there is not), the references together fail to disclose or suggest the specific combination of claim 1.

Claims 2 -6, 9-19, 21-23, and 25-26 depend from claim 1. Accordingly, Uchiyama and Alexis, individually and in combination, fail to disclose or suggest each and every element of these claims, at least by virtue of their dependency on claim 1.

With regards to dependent claim 23, for example, this claim recites the further feature of the first type of external device being a personal data assistant (PDA). Page 21 of the Final Action states that Alexis discloses the feature wherein the first type of external device is a PDA. However, Applicants respectfully point out that Alexis nowhere discloses the use of a PDA as an external device to the apparatus as claimed. The passage cited by the examiner (Alexis p. 11

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[0085]) states that a personal data assistant (PDA) may be substituted *for the wireless device* of Alexis, and does not disclose or suggest that a PDA be used as a device external to the system. Accordingly, Alexis nowhere teaches or suggests the use of a PDA as the first type of external device.

With respect to independent claim 27, the claim recites “communicating with an external device through a universal serial bus (USB) interface.” As explained above, Uchiyama and Alexis, individually and in combination, do not disclose or suggest this element. Accordingly, Uchiyama and Alexis fail to disclose or suggest each and every element of claim 27.

Claims 28, 29 and 32-35 depend from claim 27. Accordingly, Uchiyama and Alexis, individually and in combination, fail to disclose or suggest each and every element of these claims, at least by virtue of their dependency on claim 27.

With respect to independent claim 37, the claim recites “communicating with an external device through a universal serial bus (USB) interface.” As explained above, Uchiyama and Alexis, individually and in combination, do not disclose or suggest this element. Accordingly, Uchiyama and Alexis fail to disclose or suggest each and every element of claim 37.

Claims 38, 39 and 42-45 depend from claim 37. Accordingly, Uchiyama and Alexis, individually and in combination, fail to disclose or suggest each and every element of these claims, at least by virtue of their dependency on claim 37.

With respect to dependent claims 22, 33 and 43, each of these claims recite the further feature of the first type of external device being a camera. At page 20, the Final Action states that Alexis discloses a “personal video recording device.” Applicants respectfully submit that Alexis nowhere discloses or suggests a camera as an external device. The only point at which Alexis discusses personal video recording devices is on p. 2 [0028]. However, Alexis specifically states that the personal video recording device or other communication device discusses is “configured for communication over PSTN.” Applicants respectfully submit that a camera is not configured for communication over a Public Switched Telephone Network (PSTN), and therefore is not a personal video recording device as that term is defined in Alexis. Accordingly, Alexis teaches away from using a camera as an external device to the apparatus as claimed.

With respect to claims 26, 35 and 45, these claims recite the further feature of the second type of data interface that is a portable media reader and/or writer interface. Page 21 of the Final

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Action states that Alexis discloses the feature wherein the first type of external device is a computer system or a personal video recording device. However, Applicants respectfully point out that the passage cited by the Examiner (Alexis, p. 2 [0028]) specifically states that the computer system, personal video recording device or other communication device of Alexis "configured for communication over PSTN." A portable media reader and/or writer interface is not configured for communication over a PSTN and therefore is not a personal video recording device or computer system as those terms are defined in Alexis. Accordingly, Alexis teaches away from using a portable media reader and/or writer interface as an external device to the apparatus as claimed.

Claims 7 and 8 are allowable

Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) over Uchiyama in view of Alexis and further in view of allegedly well known prior art. Claims 7 and 8 depend from claim 1. As explained above, Uchiyama and Alexis do not disclose or suggest each and every element of claim 1. Further, the alleged "well known prior art" cited by the examiner does not disclose or suggest the features of claim 1 that are lacking in Uchiyama and Alexis. In addition, Applicants traverse the Examiner's assertion that the elements of claims 7 and 8 are well known in the art. The Examiner has not cited any reference that discloses the frequencies recited in claims 7 and 8. Accordingly, the Final Action fails to establish that Uchiyama and Alexis, together with the alleged well known prior art, disclose or suggest each and every element of claims 7 and 8, at least by virtue of their dependence on claim 1.

Claims 24, 36 and 46 are allowable

Regarding the rejection of claims 24, 36, and 46 under 35 U.S.C. § 103 over Uchiyama in view of Alexis and in view of Harrison, et al. (US 2002/011190 A1 ("Harrison")) on page 18 of the Final Action, as discussed above Uchiyama and Alexis, individually and in combination, fail to disclose each and every element of claims 1, 27 and 37. Harrison fails to remedy this deficiency. For example, Harrison nowhere discloses the use of a USB interface to communicate with an external device. Accordingly, Uchiyama, Alexis, and Harrison fail to teach or suggest every element of claims 24, 36 and 46, at least by virtue of their respective dependency on claims 1, 27 and 37. Further, these dependent claims recite additional features neither disclosed nor suggested by the cited references.

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In particular, claims 24, 36 and 46 each recite the feature wherein the external device is a digital storage card. At page 18, the Office Action states that Harrison discloses the feature wherein the first type of external device is a memory flash card. Applicants respectfully disagree that Harrison discloses a first type of external device. Harrison discloses a base station for a personal digital assistant (PDA). (Harrison p. 1 [0002]). The base station is used to back up the memory of a PDA. (Harrison p. 1 [0007]). There is no discussion, suggestion, or teaching of connecting the base station disclosed in Harrison to a base station or control module for communicating between a wireless wide area network and a wireless local area telephone. Moreover, there is no suggestion in Uchiyama, Alexis or Harrison of combining the two references.

Accordingly, Uchiyama, Alexis, and Harrison, individually and in combination, fail to disclose each and every element of claims 24, 36, and 46.


Conclusion

As discussed above, the Final Action fails to establish that the cited references and the proposed combinations thereof disclose or suggest the specific combinations of elements recited by independent claims 1, 27, and 37. The Final Action therefore fails to establish that the cited references disclose or suggest each and every element of claims 2-19, 21-26, 28, 29, 32-36, 38, 39, and 42-46. Accordingly, the pending claims are allowable over the cited references and the Applicants therefore request withdrawal of all pending rejections.

Respectfully submitted,

Date

10/21/05


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